GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted on the Integrated Check Post, Naraharipeta, Chittoor District on 24-11-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.404 **Dated:09-04-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.01-08-2016.
2. From DG, ACB, Lr.Rc.No.152/DES-TCT/2015, Dt.09-03-2020.
3. G.O.Ms.No.105, Revenue (Vig.II) Department, Dt.09-04-2020.
4. G.O.Ms.No.106, Revenue (Vig.II) Department, Dt.09-04-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 3rd read above, and sanction accorded under Rule 9 of AP Revised Pension Rules, 1980 vide reference 4th read above, it is considered necessary to hold an enquiry against Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any

Contd.,2

matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri Chejarla Prabhakar, Assistant Commercial Tax Officer, Integrated Check Post, Naraharipeta, Chittoor District (w.e., Annexures-I to IV) **through** the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Chittoor District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLES OF CHARGES FRAMED AGAINST SRI CHEGERLA PRABHAKAR S/O LATE KOTI LINGAM, ASST. COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

That Sri C. Prabhakar having joined in Government service as Jr. Asst. on 19-06-1985 in Commercial Taxes Department and got promoted as Asst., Commercial Taxes Officer on 30-10-2008. He worked in the above capacities at various places in Chittoor District. He worked as Asst. Commercial Taxes Officer, Integrated Check Post, CT Dept. Naraharipeta, Chittoor District from 16-11-2014 to 24-11-2015 here after called Government Servant.

CHARGE

That, the Government Servant Sri C.Prabhakar, while he was working as Asst, Commercial Tax Officer, Integrated Check Post, CT Dept, Naraharipeta, Chittoor Dist. from 16-11-2014 to 24-11-2015, he has committed grave misconduct in as much as Government servant. During the surprise check is found that the government servant was in rest room on 24-11-2015. During the surprise check, the ACB Official checked the rest room an amount of Rs.17,050/- was found excess in the custody and cross verification with personal cash register, he mentioned Rs.450/-. He failed to give any account for the excess amount during the surprise check and fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devoting to duty and thereby contravened Rule – 3 (1), (2), of APCS (Conduct) Rules, 1964.

Thus, Sri C. Prabhakar by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1),(2) of AP Civil Services (Conduct) Rules,1964.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE DRAFT ARTICLES OF CHARGES FRAMED AGAINST SRI CHEGERLA PRABHAKAR S/O LATE KOTI LINGAM, ASST. COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA CHITTOOR DISTRICT (NOW RETIRED).

Sri C. Prabhakar is a native of Nellore Town, Nellore District. His date of birth is 10-01-1958. He joined in Government service as Jr. Asst. on 19-06-1985 in Commercial Taxes Department and got promoted as Asst., Commercial Tax Officer on 30-10-2008. He worked in the above capacities at various places in Chittoor District. He worked as Asst. Commercial Taxes Officer, Integrated Check Post, CT Dept. Naraharipeta, Chittoor Dist. from 16-11-2014 to 24-11-2015. He was drawing a basic pay of Rs 56,870/- in the scale of pay Rs.28,940/- to 78,910/- as on 24-11-2015 His superannuation is on 31-01-2018. He is here-in-after referred to as Government Servant.

CHARGE

That, the Government Servant Sri C. Prabhakar, while he was working as Asst. Commercial Tax Officer, Integrated Check Post, CT Dept. Naraharipeta, Chittoor Dist. from 16-11-2014 to 24-11-2015, he has committed grave misconduct in as much as. During check it found that the Government Servant was rest room on 24-11-2015 during the surprise check, the ACB Official checked the rest room an amount of Rs.17,050/- was found excess in the custody and cross verification with personal cash register, he mentioned Rs.450/-. He failed to give any account for the excess amount during the surprise check and fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devoting to duty. Thus SO violated the provisions laid down under Rule thereby contravened Rule — 3 (1), (2) of APCS (Conduct) Rules, 1964.

FACTS AND EVIDENCE:

On 24-11-2015 from 00-45 AM to 04-30 AM Surprise Check was conducted by Team of officials of ACB, Tirupati. During the surprise Check during the surprise check, the ACB Official checked the rest room and found Government Servant taking rest in the check post after his duty, and during course check an amount of Rs.17,050/- was found excess in the custody and cross verification with personal cash register, he mentioned Rs.450/-. He failed to give any account for the excess amount during the surprise check, which proves that he allowed corrupt practices.

The facts and material gathered so revealed that the Government Servant Sri C. Prabhakar, Asst. Commercial Tax Officer, ICP, C.T.Dept. Naraharipeta, Chittoor District has committed the grave misconduct.

Thus, the Government Servant Sri C. Prabhakar by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby violated Rule 3(1), (2) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —III

LIST OF RECORDS / DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI CHEGERLA PRABHAKAR S/O LATE KOTI LINGAM, ASST. COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT (NOW RETIRED).

1. Original Surprise Check proceedings drafted on 24-11-2015 from 00-45 AM to 04-30 AM at the Integrated Check Post, C.T. Dept., Naraharipeta, Chittoor Dist.,
2. Duty Register/Attendance Registers of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.,
3. Personal Cash Registers of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
4. User Charges Register of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor Dist.
5. Reply letter vide Rc.No.B1/553/2015 dt.15-12-2015 of Dy.Commissiner of Commercial Taxes, Chittoor Dist.
6. Signed Statement of Pasim Venkateswarlu, 48y S/o Late P.Jayaramaiah, Cleaner, AP 26 W 2619, R/o D.No.5/512, CRP Donka, Nellore Town. Cell NO. 8985431674.
7. Signed Statement of Subramnayam Delli Babu S/o Subramanyam, 32y, Driver, TN 20 AP 6153. R/o No-2, Seethamcheri Village, Ammanapakam, Uthukotai Taluk, Tiruvallur Dist. Cell No. 9940302660.
8. Signed Statement of Kesireddy Jalandar, 54y, S/o Late V.Kasireddy, Cleaner, TN 06 A 6998, R/o Perandur, Uthukotai Taluk, Tiruvallur Dist. Cell No. 7708564155.
9. Signed Statement of Bepari Mahaboob Basha S/o Late Ahmad Basha, 48y, Driver, AP 04 X 7776, R/o D.No.19/708, Venkateswara Colony, Jammulamadugu, YSR dist. Cell No. 9949911982.
10. Appakutti Jayaprakash, 35y, S/o Appakutti, Driver, TN 01 AA 2428, R/o D.No.291/2, Tathichur Village, Arani Tq, Tiruvannamalai, Cell No. 08148585067(TN), 8688702609 (AP)
11. Statement of Sri Jayaramaiah. Eswaraiah, S/o late Jayaramaiah, age 48 years, R/o Ragimanu street, near Vinayaka temple, Santhapeta, Chittoor Town, Chittoor District.(Private Person)
12. Statement of Sri N. Reddappa, S/o late Munaswamy, age 35 years, R/o Cherlopalle village, Aragonda Mandal, Chittoor District, Cell No: 8886555921. (Private Person).

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE —IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI CHEGERLA PRABHAKAR, S/O LATE KOTI LINGAM, ASST. COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT (NOW RETIRED).

1. Saginela Vijaya Kumar, 47y, S/o Late Sikhamani, Prohibition and Excise Inspector, O/o Asst. Commissioner, P&E, Chittoor, N/o D.No.39/589, Aravinda Nagar, Kadapa. Cell No.9491088776. (Mediator)
2. Alidena Kamaraju, 29y, S/o Late A.Subbarayudu, Jr, Assistant, SGS Arts College, Tirupati. R/o D.No.20-1-416-B3, Subhash Nagar, Korlagunta, Tirupati. Cell No. 957331337. (Mediator)
3. Sri A. Sankar Reddy, Dy. Supdt. of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
4. Sri M.Sudhakara Reddy, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)
5. The Dy. Commissioner of Commercial Taxes, Chittoor Chittoor District.
6. Sri Pasim Venkateswarlu, 48y S/o Late P.Jayaramaiah, Cleaner, AP 26 W 2619, R/o D.No.5/512, CRP Donka, Nellore Town. Cell NO. 8985431674.
7. Sri Subramnayam Delli Babu S/o Subramanyam, 32y, Driver, TN 20 AP 6153, R/o No-2, Seethamcheri Village, Ammanapakam, Uthukotai Taluk, Tiruvallur Dist. Cell No. 9940302660.
8. Sri Kesireddy Jalandar, 54y, S/o Late V.Kasireddy, Cleaner, TN 06 A 6998, R/o Perandur, Uthukotai Taluk, Tiruvallur Dist. Cell No. 7708564155.
9. Sri Bepari Mahaboob Basha S/o Late Ahmad Basha, 48y, Driver, AP 04 X 7776, R/o D.No.19/708, Venkateswara Colony, Jammulamadugu, YSR dist. Cell No, 9949911982.
10. Sri Appakutti Jayaprakash, 35y, S/o Appakutti, Driver, TN 01 AA 2428, R/o D.No.291/2, Tathichur Village, Arani Tq, Tiruvannamalai, Cell No. 08148585067(TN), 8688702609 (AP)
11. Sri Jayaramaiah. Eswaraiah, S/o late Jayaramaiah, age 48 years, R/o Ragimanu street, near Vinayaka temple, Santhapeta, Chittoor Town, Chittoor District. (Private Person)
12. Sri N. Reddappa, S/o late Munaswamy, age 35 years, R/o Cherlopalle village, Aragonda Mandal, Chittoor District, Cell No: 8886555921. (Private Person).

PEEYUSH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED:: BY ORDER//

SECTION OFFICER